

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Peter Streuer  
Title: RECHARGEABLE BATTERY AND SEALING PLUG FOR A  
RECHARGEABLE BATTERY  
Appl. No.: 10/706,726  
Filing Date: 11/12/2003  
Examiner: Ben Lewis  
Art Unit: 1795  
Confirmation No.: 7254

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the non-final Office Action dated October 6, 2008, in which all pending Claims 13-36 were rejected. Applicant submits that at least one of such claims has been rejected at least twice in the present application. For the record, it is noted by Applicant that various claims that had been previously rejected during prosecution of the present application were cancelled and presented as new claims in the response filed with the Request for Continued Examination that was filed on September 12, 2008, and that these new claims now stand rejected by the Examiner.



☒ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$540.00
<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$130.00
<input type="checkbox"/>	Extension Already Obtained for first month:	\$0.00
	<b>FEE TOTAL:</b>	<b>\$670.00</b>
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	<b>TOTAL FEE:</b>	<b>\$670.00</b>

The above-identified fees of \$670.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.



Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: February 2, 2009

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5302  
Facsimile: (414) 297-4900

By: /Matthew D. Rabe/

Matthew D. Rabe  
Attorney for Applicant  
Registration No. 61,819